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10/621,448	07/18/2003	Tsutomu Ohishi	240473US2	1119

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EXAMINER	
KAU, STEVEN Y	

ART UNIT	PAPER NUMBER
2625	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/621,448	OHISHI ET AL.	
	Examiner	Art Unit	
	STEVEN KAU	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 September 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-11,13 and 15-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-11,13 and 15-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *18 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *7/31/09*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 28, 2009 has been entered.

Status of the Claims

2. Claims 3, 12 and 14 have been canceled; claims 24, 25 and 26 are new dependent claims added. Thus, aims 1, 2, 4-11, 13, and 15-26 are pending for further examination in this Action.

Response to Remark/Arguments

3. Applicant's arguments with respect to the rejection of Claims 1, 2, 4-11, 13, and 15-23 under 35 U.S.C. 103(a) have been fully considered but are moot in view of the new ground(s) of rejection due to the amendments.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1, 4-10, 15-20, 22, 24 and 25 are rejected under 35 U.S.C. 102(a) as being anticipated by Matsushima (US 2002/0144257).

Regarding claim 1.

Matsushima discloses An image forming apparatus (**referring to Multifunction Machine 10 of Fig. 2,**) that includes service modules for performing system side processes on image formation (**referring to Service Modules 141, 142, etc., of Fig. 2**), wherein applications can be added to the image forming apparatus separately from the service modules (**i.e. applications, i.e. printer application and copier application, etc., can be added to the apparatus, Par. [0062]**), the image forming apparatus comprising: an application launch part (**i.e. Download Application 136 of Fig. 1**) configured to access launch selection information (**i.e. embodiments of downloading with plug-in or with an applet in Java program, Pars. [0069] to [0081]**), the launch selection information indicating at least a location of an auxiliary storage device that stores one or more applications (**i.e. Multifunction Machine displays the link on the browser and user selects the link and the reference destination of the link for downloading software from a auxiliary storage device, i.e. Server 20 of Fig. 1, Figs. 1, 2 & 4, Pars. [0070] to [0075]**), and configured to launch the one or more applications from the auxiliary storage device according to the accessed launch selection information (**i.e. software components of Fig. 3, i.e. applications shown in**

Fig. 2, is download from Server 20, the auxiliary storage device, Pars . [0069] to [0080]); and a part configured to display a setting screen that sets the launch selection information on a display part of the image forming apparatus (**i.e. after the authentication process, a display section displays the list of software components for selection, Par. [0008], and components displayed on the list can be selected to change in accordance with contract form, Pars. [0118] to [0121]**), and configured to store information input from the setting screen as the launch selection information (**referring to Figs. 1, 4 ad 6, downloaded software is loaded to the main storage RAM 13 for execution, Par. [0034], in addition, the multifunction machine includes a Large Capacity Storage Device 18 of Fig.1 to store downloaded software components, Par. [0035]**), wherein the service modules are stored in a memory distinct from the auxiliary storage device (**i.e. the service modules of Platform 120 of Fig. 2 are stored in ROM 12 of Fig.1, Par. [0034]**): and wherein the one or more applications are installed in the auxiliary storage device (**referring to Fig. 3, software components are stored in Server 20 of Figs 1 & 3, Par. [0062]**).

Regarding Claim 4, dependent from Claim 1.

Matsushima discloses wherein the application launch part launches the application by referring to information on the application (**i.e. user selects or defines the link to download the necessary software components, Fig. 4 and Par. [0072]**).

Regarding Claim 5, dependent from Claim 4.

Matsushima discloses wherein the information referred to by the application launch part is address information of the application (**i.e. "selects the link displayed**

on the browser" and "the browser starts the plug-in for downloading the software", involves URL address, Par. [0072]).

Regarding Claim 6, dependent from Claim 1.

Matsushima discloses wherein the application launch part determines whether the application is installed at the location according to presence or absence of predetermined information on the application, and the application launch part launches the application if the application is installed at the location (**referring to Figs. 4 and 6, processes of downloading software components from Server 20; software components are downloaded to the multifunction machine from Server 20 to the main memory, i.e. RAM 13 of Fig. 1, Par. [0034] and executed by the machine; that is, installed in the machine, Pars. [0036] & [0062]**).

Regarding Claim 7, dependent from Claim 1.

Matsushima discloses wherein the application launch part refers to setting information including information indicating whether a predetermined application is to be launched, and the application launch part launches the predetermined application if the setting information includes information indicating the predetermined application is to be launched (**i.e. a selection unit selects a desired software component from a list of software components in Server 20 and a acquire unit acquires the software component from Server 20, Par. [0009]**).

Regarding Claim 8, dependent from Claim 1.

Matsushima discloses wherein the application launch part refers to setting information including information indicating applications to be launched, and the

application launch part launches the application indicated in the information (**the teaching of this limitation by Matsushima is set forth in the above discussion in Claims 4, 5 & 7**).

Regarding Claim 9, dependent from Claim 8.

Matsushima discloses the image forming apparatus further comprising: a part for displaying a setting screen for setting the setting information on a display part of the image forming apparatus, and storing information input from the setting screen as the setting information (**i.e. a display section displays a list of software components for selection and downloading, therefore, the downloaded software must be stored in RAM 13 before it is executed by CPU 11 and the multifunction machine also includes a Large Capacity Storage Device 18 to store download software components, Fig. 1, Pars. [0009], [0010], [0035], [0127]**).

Regarding Claim 10, in accordance with claim 1.

Matsushima disclose that the image forming apparatus further comprising a virtual application service (**i.e. Java Virtual Machine, or JVM**) that operates as a client process for the services modules (**i.e. the multifunction machine is required to provided JVM for software component downloading, Pars. [0078] & [0079] and Fig. 6**) and operates as a server process for the applications, wherein the virtual application service includes the application launch part (**referring to Figs. 6 & 7, JVM is used for downloading software components, thus, it must includes the downloading module, i.e. browser for the software component download, Par. [0078] & [0079]**).

Regarding Claim 24, dependent from Claim 1.

Matsushima discloses wherein the application launch part launches the one or more applications from the auxiliary storage device by issuing an execution command which is stored in the auxiliary storage device (**referring to Figs. 4 and 6, software component downloaded from Server 20 is executed after the authentication process is performed, Pars. [0074], [0075], [0080] & [0081]**).

Regarding Claim 22.

Claim 22 is directed to a computer readable medium claim which substantially corresponds to operation of the device in claim 1, with processing steps directly corresponding to the function of device elements in claim 1. Thus, claim 22 is rejected as set forth above for claim 1.

Regarding Claim 15, in accordance with claim 22.

Claim 4 recites identical features as claim 15, except claim 15 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 4 are also equally applicable to claim 15.

Regarding Claim 16, in accordance with claim 16.

Claim 5 recites identical features as claim 16, except claim 16 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 5 are also equally applicable to claim 16.

Regarding Claim 17, in accordance with claim 22.

Claim 6 recites identical features as claim 17, except claim 17 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 6 are also equally applicable to claim 17.

Regarding Claim 18, in accordance with claim 22.

Claim 7 recites identical features as claim 18, except claim 18 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 7 are also equally applicable to claim 18.

Regarding Claim 19, in accordance with claim 22.

Claim 8 recites identical features as claim 19, except claim 19 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 8 are also equally applicable to claim 19.

Regarding Claim 20, in accordance with claim 19.

Claim 9 recites identical features as claim 20, except claim 20 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 9 are also equally applicable to claim 20.

Regarding Claim 25, dependent from Claim 22.

Claim 24 recites identical features as claim 25, except claim 25 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 24 are also equally applicable to claim 25.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 2, 11, 13 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsushima (US 2002/0144257) as applied to Claims 1 and 22 above, and in view of Washino et al (US 5,537,157).

Regarding claim 2, in accordance with claim 1.

Matsushima discloses wherein the auxiliary storage device is at least one of a hard disk device (**i.e. Server 20 must have a hard drive to store software components as shown in Fig. 3**), and a computer connected to the image forming apparatus via a network (**referring to Fig. 1, Server 20 is connecting to Multifunction Machine 10 via a network**).

Matsushima does not explicitly disclose a recording medium removable from the image forming apparatus without disassembling any other portion of the image forming apparatus.

Washino teaches a recording medium removable from the image forming apparatus without disassembling any other portion of the image forming apparatus (**with removable hard disk or disk drives with removable media does not require to disassembling any portion of the image forming apparatus, col 4, lines 44-53**).

Having an image forming apparatus of Matsushima '257 reference and then given the well-established teaching of Washino' 157 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the image forming apparatus of Matsushima '257 reference to include a recording medium removable from the image forming apparatus without disassembling any other portion of the image forming apparatus as taught by Washino' 157 reference. The motivation for doing so would have been to increase the accessibility of updating software of the image forming apparatus without disassembling the apparatus and further the services provided could easily be established for one another with predictable results.

Regarding Claim 11, dependent from Claim 2.

Matsushima discloses wherein the image forming apparatus receives an application from the computer connected to the image forming apparatus via a network by using a http protocol or a tip protocol, and the application launch part launches the received application (**i.e. the NCS 145 module has server daemons for HTTPD, FTPD, & SNMPD, etc., network protocols, Par. [0061]**).

Regarding Claim 13, in accordance with claim 22.

Claim 2 recites identical features as claim 13, except claim 13 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 2 are also equally applicable to claim 13.

Regarding Claim 21, dependent from Claim 13.

Claim 11 recites identical features as claim 21, except claim 21 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 11 are also equally applicable to claim 21.

8. Claims 23 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsushima (US 2002/0144257) in view of Washino et al (US 5,537,157).

Regarding Claim 23.

Matsushima discloses An image forming apparatus (**referring to Multifunction Machine 10 of Fig. 2,**) that includes service modules for performing system side processes on image formation (**referring to Service Modules 141, 142, etc., of Fig. 2**), wherein applications can be added to the image forming apparatus separately from the service modules (**i.e. applications, i.e. printer application and copier application, etc., can be added to the apparatus, Par. [0062]**), the image forming apparatus comprising: an application launch part (**i.e. Download Application 136 of Fig. 1**) configured to access launch selection information (**i.e. embodiments of downloading with plug-in or with an applet in Java program, Pars. [0069] to [0081]**), the launch selection information indicating at least a location of an auxiliary storage device that stores one or more applications (**i.e. Multifunction Machine displays the link on the browser and user selects the link and the reference destination of the link for downloading software from a auxiliary storage device, i.e. Server 20 of Fig. 1, Figs. 1, 2 & 4, Pars. [0070] to [0075]**), and configured to launch the one or more applications from the auxiliary storage device according to the accessed launch

selection information (**i.e. software components of Fig. 3, i.e. applications shown in Fig. 2, is download from Server 20, the auxiliary storage device, Pars . [0069] to [0080]**); and a part configured to display a setting screen that sets the launch selection information on a display part of the image forming apparatus (**i.e. after the authentication process, a display section displays the list of software components for selection, Par. [0008], and components displayed on the list can be selected to change in accordance with contract form, Pars. [0118] to [0121]**), and configured to store information input from the setting screen as the launch selection information (**referring to Figs. 1, 4 ad 6, downloaded software is loaded to the main storage RAM 13 for execution, Par. [0034], in addition, the multifunction machine includes a Large Capacity Storage Device 18 of Fig.1 to store downloaded software components, Par. [0035]**), wherein the service modules are stored in a memory distinct from the auxiliary storage device (**i.e. the service modules of Platform 120 of Fig. 2 are stored in ROM 12 of Fig.1, Par. [0034]**): and wherein the one or more applications are installed in the auxiliary storage device (**referring to Fig. 3, software components are stored in Server 20 of Figs 1 & 3, Par. [0062]**).

Matsushima does not disclose the auxiliary storage device corresponding to a recording medium removable from the image forming apparatus without disassembling any other portion of the image forming apparatus.

Washino teaches a recording medium removable from the image forming apparatus without disassembling any other portion of the image forming apparatus

(**with removable hard disk or disk drives with removable media does not require to disassembling any portion of the image forming apparatus, col 4, lines 44-53**).

Having an image forming apparatus of Matsushima '257 reference and then given the well-established teaching of Washino' 157 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the image forming apparatus of Matsushima '257 reference to include a recording medium removable from the image forming apparatus without disassembling any other portion of the image forming apparatus as taught by Washino' 157 reference. The motivation for doing so would have been to increase the accessibility of updating software of the image forming apparatus without disassembling the apparatus and further the services provided could easily be established for one another with predictable results.

Regarding Claim 26, dependent from Claim 23.

Matsushima discloses wherein the application launch part launches the one or more applications from the auxiliary storage device by issuing an execution command which is stored in the auxiliary storage device (**referring to Figs. 4 and 6, software component downloaded from Server 20 is executed after the authentication process is performed, Pars. [0074], [0075], [0080] & [0081]**).

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Kau whose telephone number is 571-270-1120 and fax number is 571-270-2120. The examiner can normally be reached on M-F, 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Steven Kau/
Examiner, Art Unit 2625
November 20, 2009

/David K Moore/
Supervisory Patent Examiner, Art Unit
2625